

A. STATE-AT-A-GLANCE

1) Program Operation	State-Administered
2) Number of Local Offices (excluding Agencies under Cooperative Agreements)	25
3) Type of Agencies with Cooperative Agreements	Prosecuting Attorneys, County Judges and Corporations
4) Uniform Interstate Family Support Act	Yes
5) Agreements With Tribal Entities	No
6) Age of Majority for Termination of Support	18 or when child graduates from high school; support may be ordered past age of 18 in case of special circumstances such as physical or mental disability
7) Statutes of Limitation:	
• Collection of Past Due Support	Under State case law, the previous limitation of five and ten years may be raised as an affirmative defence to collection of past support when the time period for collection precedes the date when the law was changed.
• Paternity Establishment	None
Dormancy Revival/Renewal Possible [yes/no]	Yes
8) Guidelines	Support guidelines based upon family support chart as established by a committee appointed by and approved by AR Supreme Court through per curiam order
9) Interest Rates on	
• Missed Payments	10%
• Retroactive Support	None
• Adjudicated Arrearage	10%
10) Arrearage Collections for Non-minor Child(ren)	Yes
11) Distribution Scheme	
• AFDC Arrears	Retained by State collected in full before arrears owed to custodial parent are collected

• Non-AFDC Arrears	Collected and paid to custodial parent after all arrears owed to the State are collected
12) Procedures Regarding Medical Support Using Income Withholding	Any NCP ordered to provide medical support and maintain health care coverage as of March 6, 1991, is subject to income withholding for health care coverage. The order must contain language requiring the employer to deduct premiums and enroll the child in the health care plan.
13) New Hire Reporting	No
14) Recovery of Costs Elected Under State Plan	Yes
15) Recovery of Costs for Initiating State	Yes
16) Long-Arm Statute/s Citation/s	Ark. Code Ann. § 16-4-101 and Ark. Code Ann. § 9-17-201
17) Automated Locate Resources	Driver's License, Employment Security Division (earnings and unemployment benefits), Department of Human Services (food stamps and other programs), Member of Electronic Parent Locate Network
18) Enforcement Options	
• State Income Tax Refund Intercept	Yes
• License Revocation/ Suspension	Yes
• Administrative Liens	Yes
• Property Seizure & Sale	Yes, however, restrictions and requirements under present state laws present utilization of his remedy on a routine basis.
• State Funds/Benefits (please specify)	Yes, if authorized by Court Order
• Other (please specify)	State Criminal Nonsupport; Criminal Prosecution for Noncooperative AFDC recipients
19) Spousal Maintenance Orders (specify yes or no)	
• Establish	Yes
• Enforce	Yes, if included in child support order
• Modify	Arkansas Orders Only
20) Current Spouse/Partner	No

Information Required	
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B. UNIFORM INTERSTATE FAMILY SUPPORT ACT

1) State Code Citation	Ark. Code Ann. § 9-17-101 et. seq.
2) Effective Date	March 12, 1993
3) Adopted Verbatim? If no, list differences.	Yes
4) Repeal URESA?	Yes
5) Repeal IWW?	No

C. INCOME WITHHOLDING

1) Income Withholding Terminology	Income Withholding
2) Income Withholding Procedures	
• State Withholding Limits	50% if NCP has other spouse or dependent 55% if NCP has other spouse or dependent and arrears are equal to more than 12 weeks 60% if NCP does not have other spouse or dependent 65% if NCP does not have other spouse or dependent and arrears are equal to more than 12 weeks
• Fee Charged by Employers	\$2.50 per withholding
• Date to Remit	Same time that the NCP is paid
• Penalty	\$50 per day
3) Definition of Employer	
4) Included Income	Moneys, income or periodic payments held by a payor
5) Excluded Income	State & Federal Taxes, FICA or Railroad Retirement
6) Direct Income Withholding for Unemployment Compensation, include address	No
7) Direct Income for Workers' Compensation, include address	No
8) Direct Income Withholding, other income sources subject to, include address	None
9) Direct Income Withholding, list	None

Other Income Sources NOT subject to	
10) Federal Withholding (See Federal Pay Agents Section)	IV-D Directors need not answer this question.
11) Procedures for Contesting Income Withholding	Mistake of fact; 10-days to notify OCSE of contest; Administrative hearing within 30 days of notice
12) Arrearages through Income Withholding	Yes; an additional amount of not less than 10% of current support amount is permitted by statute on initiated income withholding otherwise by court order
13) Enforcing Against Non-Resident Obligor Asset/Income	Yes
14) Exception to Immediate Withholding	Agreement of the Parties Approved by the court for good cause
15) Multiple Obligations Withholding Priorities	
• Policy	Proration based on all current amounts due
• Priority	1) Current Support; 2)Medical Support; 3) Arrears
• Assistance	OCSE will assist employers to determine prorata amount to withhold
• Allocation	Prorata shares to each family

D. PATERNITY

1) Interstate Paternity Procedures	Affidavit Acknowledging Paternity; Long-Arm provisions of UIFSA
Consent Orders Obtained	Yes
2) Uniform Parentage Act	No
3) Uniform Act on Blood Testing	No
4) Parentage Order Available Without Order for Support	Yes
5) Custody/Visitation Addressed Subject to Tribunal's Jurisdiction	No
6) Genetic Test Results as Presumption of Paternity	Yes, but only after corroborating testimony of mother in regard to access during the probable period of conception
Threshold	95%
7) Paternity Acknowledgment as Presumption of Paternity	Conclusive if signed after April 10, 1995

(Rebuttable/Conclusive)	
8) Marriage as Presumption of Paternity	Yes, but may be rebutted by clear and convincing evidence with corroboration
9) Putative Father's Name on Birth Certificate, Effect of	Rebuttable Presumption, unless Affidavit Acknowledging Paternity was signed after 4-10-95.
10) Other Statutory Presumptions	None
11) Recognition of Common Law Marriage	Yes, will recognize one created in another state, but cannot create in AR
12) Personal Appearance of Witness or Custodial Parent Required	Not required if case submitted under UIFSA provisions.
Acceptable Methods of Testimony	Telephone deposition; Tele-conference call; Audio-Visual or other electronic means
13) Long-Arm Statute	Yes, Ark. Code Ann. § 9-17-201
14) Assistance to Other States Using Their Long-Arm Statutes	
• Service of Process	Yes
• Genetic Testing	Yes
15) Recovery of Genetic Testing Costs for Other States	Yes

E. SUPPORT ORDER ESTABLISHMENT

1) Interstate Procedures	UIFSA Provisions
2) Income Considered for Setting Support	Income as defined in federal income tax laws less deductions for federal and state income tax, FICA or railroad retirement, medical insurance paid for dependent children and present paid child support for other dependents by court order.
3) Criteria for Rebuttal	Special medical or educational needs of the child; cost of providing day care for the child; NCP's net income/assets; NCP's self support reserves; Shared or joint custody arrangements; Contributions to a trust fund for the child.
4) Support Order for Prior Periods	Petition for retroactive support to the birth of the child in the initial action to establish paternity and support or to the date of the petition for support if paternity previously established.

F. ENFORCEMENT

(Note: If multiple orders, see Part “G”)

I. ENFORCING YOUR OWN ORDER

1) Enforcement for Non-Resident Family	Yes
2) Administrative Procedures and Remedies Available	Income Withholding; License Suspension; intercepting state income tax refunds, unemployment benefits & Worker's Comp benefits
3) Judicial Procedures and Remedies Available with Registration	All State remedies available

II. ENFORCING OTHER STATES' ORDERS

4) Administrative Procedures and Remedies Available Without Registration	Income Withholding; intercepting state income tax refunds, unemployment benefits and Worker's Comp benefits
5) Judicial/Administrative Remedies with Registration	Same as above plus license suspension
6) UIFSA/URESA Registration and Enforcement Procedure	UIFSA Provisions
7) Judicial Procedures Required after Registration	None required; contempt remedies become available
8) Uniform Enforcement of Foreign Judgments Act Citation	Ark. Code Ann. § 16-66-601 et. seq.

G. MODIFICATION/REVIEW & ADJUSTMENT OF ORDERS

1) Jurisdiction Requirements	UIFSA Provisions
2) Modification Procedures	UIFSA Provisions
3) Criteria for Modification	Continuous Exclusive Jurisdiction or consent of both parties
4) Criteria for Change of Circumstances	20% or \$100 change per month in gross income
5) Frequency With Which Reviews are Conducted	Once every 36 months from the date of the most recent order or the most recent review
6) Criteria for Review	All AFDC ; Non-AFDC cases upon request of either party

7) Criteria for Adjustment	Criteria for change of circumstances met and amount adjusted to meet guidelines
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H. MULTIPLE ORDERS ENFORCEMENT AND MODIFICATION

1) Controlling Order	CEJ order under UIFSA provisions
2) Date of Controlling Order	File date of CEJ order
3) If No Controlling Order	Establish new order
4) Arrears Procedure	Calculate based on original CEJ order and any modifications allowing credit for payments made under all other orders

I. Documentation Required to Initiate Requests

ACTION REQUESTED	DOCUMENTS NEEDED	# of Copies of each document	Certification required for each document *See below
Establishment of Paternity and Support	Enforcement Transmittal	3	B
	Uniform Support Petition	3	A
	General Testimony	3	A
	Paternity Affidavit for each child	3	A
Enforcement of Responding State's Order	Enforcement Transmittal	1	B
	Copy of Court Order	1	C
	Statement from CP regarding direct payments	1	A
	Affidavit of child support arrears	1	C
	Where payments are to be sent		
Modification of Responding States' Orders	Enforcement Transmittal	1	B
	Copy of Court Order	1	C
	Statement from CP regarding direct payments	1	A
	Affidavit of child support arrears	1	C
	Where payments are to be sent		
Administrative Enforcement of Another States' Order	Enforcement Transmittal	1	B
	Court Order	1	C
	Affidavit of Arrears	1	A

ACTION REQUESTED	DOCUMENTS NEEDED	# of Copies of each docu- ment	Certifi- cation required for each docu- ment *See below
Registration for Enforcement of Another States' Order	Enforcement Transmittal Court Order Affidavit of Arrears Information regarding NCP and list of his property Where payments are to be sent	1 1 1	B C A
Collection of Arrearages in Multiple Orders	Enforcement Transmittal All Court Orders Affidavit of Arrears Statement from CP regarding direct payments Where payments to be sent	1 1 1 1	B C A A
Uniform Enforcement of Foreign Judgments Act	Enforcement Transmittal Copy of Order Affidavit of payments previously made to reduce judgment	1 3	B C
Modification of Another State's Order	Same as for Registration for Enforcement		
Status Update on an Existing Interstate Case	Enforcement Transmittal	1	B

ACTION REQUESTED	DOCUMENTS NEEDED	# of Copies of each docu- ment	Certifi- cation required for each docu- ment *See below
Assistance/Discovery	UIFSA Provisions		
Quick Locate	Quick Locate Data Form	1	B

**A= Notarization by Notary Public; B= Certification by signature of agency official;*
C= Certification by signature of court official; D= Others (please specify);
E= Certification not required

J. State Contact Chart

ASSISTANCE NEEDED	CONTACT Name, Title, Address, Phone, Fax, E-mail (include 800 if applicable)
State Information Agent	David Hyatt, Investigator I P. O. Box 8133 Little Rock AR 72203 501-682-8710 FAX 501-682-6002
Central Registry	Mary E. Smith, Program Coordinator P. O. Box 8133 Little Rock AR 72203 501-682-8410 FAX 501-682-6002
Interstate Policy Contact (if different)	Mary E. Smith
Contact for Information Regarding Your States Long Arm Statute and Process	John Wisner, Attorney Supervisor P. O. Box 8133 Little Rock AR 72203 501-682-8412 FAX 501-682-3488
Contact for Information Regarding Collection and Distribution (State level)	Gwen Terrell, Collections Supervisor P. O. Box 8133 Little Rock AR 72203 501-682-8415 FAX 501-682-8405
Contact to Obtain Payment Records	Richard Behra, Accounting Supervisor

	P. O. Box 8133 Little Rock AR 72203 501-682-8514 FAX 501-682-8405
Contact to Obtain Copy of Order	Clerks of the Circuit/Chancery Court in the various Counties
Contact for States Using Their Long Arm Statutes or Continuing Exclusive Jurisdiction (no “case” in your State) for	
· Service of Process (private process server? If so , list)	Sheriffs of the various Counties
· Genetic Testing (e.g. assistance with interstate teleconferencing)	LabCorp, Interstate Unit 1-800-334-5161
New Hire Reporting Contact	N/A
Employer Assistance Contact	Mary E. Smith
Telephone Number for Automated Interstate Case <i>Status</i> Requests (if any)	N/A
Telephone Number for Automated Interstate Case <i>Payment</i> Requests (if any)	1-800-264-2445
Privatization Contact	Jim Barnhill, Attorney Supervisor P. O. Box 8133 Little Rock AR 72203 501-682-6038 FAX 501-682-3488